

FEB 07 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

#3

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Stephen E. Reiter
GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1600
San Diego, CA 92121-9931

In re Application of :
BOURDON, et al. :
Application No.: 09/701,162 :
PCT No.: PCT/US98/25791 :
Int. Filing Date: 04 December 1998 :
Priority Date: 05 December 1997 :
Attorney Docket No.: LJIEM110-1 :
For: INHIBITION OF TUMOR GROWTH BY
MACROPHAGE INTERVENTION

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 22 November 2000 in the above-captioned application is hereby **GRANTED** as follows:

Applicants' statement that "the entire delay in filing the of the petition to revive under 37 CFR 1.137(b) was unintentional" has been construed as meaning that "entire delay in filing the required reply from the due date for the reply until the filing of this petition under 37 CFR 1.137(b) was unintentional." If this is an incorrect interpretation in view of the rules, Petitioner must immediately notify the PCT Legal Office of such error.

A review of the application file reveals that applicants have now submitted the basic national fee of \$345 and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing including the issuance of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration along with the \$65 surcharge for filing the oath or declaration after the thirty-month period is required.

Anthony Smith
Petitions Attorney
PCT Legal Office
Telephone: (703) 308-6314
Facsimile: (703) 308-6459